

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PATTY BEALL, MATTHEW
MAXWELL, TALINA MCELHANY AND
KELLY HAMPTON, individually
and on behalf of all other similarly situated;**

Plaintiffs,

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2:08-cv-422 TJW

**TYLER TECHNOLOGIES, INC. AND
EDP ENTERPRISES, INC.
Defendants.**

AGREED ORDER REGARDING CONDITIONAL CERTIFICATION DEADLINES

Plaintiffs Tammy Beall, et al. (“Plaintiffs”) and Defendants Tyler Technologies, Inc. and EDP Enterprises, Inc. (“Defendants”), after conferring and appearing at the scheduling conference before the Court on February 26, 2009, have agreed to the following dates and deadlines to govern the case prior to the Court’s ruling on Plaintiffs’ Application for Conditional Certification pursuant to the Fair Labor Standards Act (the “FLSA”). The Court so orders as follows:

1. The deadline to file Plaintiffs' motion and brief in support of their application for conditional certification of a collective action under the FLSA is April 6, 2009.
2. The deadline for Defendants to file a response and brief to Plaintiffs' motion and brief in support of conditional certification of a collective action under the FLSA is May 15, 2009.
3. The deadline for Plaintiffs to submit a reply brief in connection with their motion for conditional certification under the FLSA is May 29, 2009.

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4. A hearing is hereby set for June 19, 2009, at 9:30 a.m. at which counsel for the parties will submit argument in connection with the motions and briefings on Plaintiffs' motion for conditional certification under the FLSA.

5. After the Court rules on Plaintiffs' motion for conditional certification under the FLSA, the parties shall confer and will provide the Court with a proposed agreed scheduling order and a discovery order to govern the case through dispositive and other motions.

6. The parties, unless leave is obtained from the Court or by agreement, shall not commence discovery until the Court rules on Plaintiffs' Motion for conditional certification of a collective action under the FLSA.

DATED: _____, 2009.

Honorable Judge T. John Ward

AGREED:

/s/ John D. Sloan, Jr.

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